

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

RICHARD DALY,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CIV-14-286-D
	)	
WARDEN RIOS, Lawton Correctional	)	
Facility, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

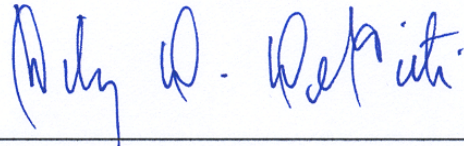
This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Suzanne Mitchell, recommending the denial of Petitioner's application for leave to proceed *in forma pauperis* and the issuance of an order directing Petitioner to pay the filing fee for his Petition within 20 days. Petitioner has not filed a timely objection or requested additional time to object, although he was advised of his rights and given notice of the waiver rule.

The Court finds that Petitioner has waived further review of the issues addressed in the Report. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996). The Court therefore concurs in Judge Mitchell's recommendations.

IT IS THEREFORE ORDERED that the Court adopts the Report and Recommendation [Doc. No. 5] in its entirety. Petitioner's Application for Leave to Proceed In Forma Pauperis [Doc. No. 2] is DENIED.

IT IS FURTHER ORDERED that Petitioner shall pay the \$5 filing fee in full to the Clerk of Court within 20 days from the date of this Order. Failure to make timely payment or to show cause for nonpayment by that date will result in the dismissal of this action without prejudice to refiling.

IT IS SO ORDERED this 18<sup>th</sup> day of April, 2014.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE